

REMARKS

Claims 1-22 were rejected and remain pending in the instant application. Claims 1-22 have been amended herein. No new matter has been added. Reconsideration of the application is respectfully requested.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-6, 9-13 and 19-22 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0048260 (herein after “Matusis”).

Notwithstanding Applicants’ respectfully disagreement with the reading of the claims and the reference by the Examiner, in order to obtain early allowance, Applicants have amended independent claim 1. Support for the amendment can be found throughout the Specification, e.g., line 24 on page 7 to line 9 on page 8, lines 12-31 on page 9, and lines 19-31 on page 11 of the Specification.

As amended, claim 1 currently recites in part, “... the detection mechanism is configured to indicate that the first function is to be associated with the activation when a right-to-left movement of a terminating member of the right hand toward the key is detected and the detection mechanism is configured to indicate that the second function is to be associated with the activation when a left-to-right movement of a terminating member of the left hand toward the key is detected.”

In the present Office Action, paragraphs [0041], [0043], [0052] and [0068] were cited as teaching all the elements of the previously presented claim 1. These cited portions of Matusis disclose that a system is configured to take images of a user’s selected finger that activates one of the input sensors of the system, in order to determine the identity of the finger based on the images taken and then to select one of a plurality of functions to be associated with the activated input sensor according to the determined identity of the finger.

In particular, according to paragraphs [0064] and [0068] of Matusis, fingertip images are based on to determine the identity of the selected finger, and in addition to the determination of the identify of the selected finger, vertical motions of finger tips may also be monitored in order to identify the selected finger.

It should be noticed that in Matusis, in contrast with amended claim 1, motions of the finger tips alone cannot be used to determine which function should be associated with the selected input sensor.

Also, Matusis fails to teach "... the detection mechanism is configured to indicate that the first function is to be associated with the activation when a right-to-left movement of a terminating member of the right hand toward the key is detected and the detection mechanism is configured to indicate that the second function is to be associated with the activation when a left-to-right movement of a terminating member of the left hand toward the key is detected" as recited in amended claim 1, where right-to-left or left-to-right (lateral) motions of the terminating member of a user's hand are detected and based on to determine the function to be associated with the key upon the activation.

Therefore, it is submitted that Matusis teaches away from the recitations of amended claim 1. For at least these reasons, Applicants respectfully submit that claim 1 is allowable over Matusis.

Independent claims 12 and 19 include recitations substantially similar to that of claim 1 and are thus allowable for at least the same reasons.

Claim 2-6, 9-11, 13, and 20-22 depend from claims 1, 12 or 19 respectively, incorporating their recitations, and are thus allowable for at least the same reasons.

Claim Rejections Under 35 U.S.C. § 103

1. Claims 7, 8 and 14-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Matusis in view of U.S. Patent No. 6,888,532 (hereinafter "Wong").

Independent claim 14 has been amended to include recitations similar to those discussed earlier with respect to claim 1. Wong was cited as teaching "an input device in which pressure sensors are used to detect how the user is holding the device and thus determine whether the device is in a left hand mode or right hand mode and changes the functions of the input accordingly." However, Wong fails to cure the above stated deficiency of Matusis.

Thus, it is submitted that amended independent claims 1 and 14 are patentable over the Matusis in view of Wong. Claims 7, 8, and 15-16 depend from independent claim 1 or

14, incorporating their recitations. Therefore, due to at least the same reasons with respect to claims 1 and 14, claims 7, 8, and 15-16 are patentable over the Matusis in view of Wong.

2. Claims 17-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Matusis in view of U.S. Patent No. 6,538,636 (hereinafter “Harrison”).

Independent claim 17 has been amended to include recitations similar to those of amended claim 1. Harrison was cited as teaching “having motion detectors which can detect the orientation of the portable devices, and change the function of the input keys according to the orientation.” However, Harrison fails to cure the above stated deficiency of Matusis.

Thus, it is submitted that amended independent claims 1 and 17 are patentable over the Matusis in view of Harrison.

Claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Matusis, Harrison, and official notice that MEMS motion sensors are common in the art and that it would therefore have been obvious to combine MEMS motion sensors with the teachings of Harrison.

However, the official notice cannot cure the deficiencies of Matusis and Harrison. Claim 18 depends from claim 17, incorporating its recitations, and is thus allowable for at least the same reasons.

CONCLUSION

In view of the foregoing, reconsideration and allowance of the pending claims are solicited. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 381-8819. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 500393.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: June 1, 2010 by: /Al AuYeung/
Al AuYeung
Reg. No.: 35,432